

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**MATTHEW HUSKEY**

**PLAINTIFF**

**v.**

**No. 1:17CV140-JMV**

**MARSHALL FISHER, ET AL.**

**DEFENDANTS**

**ORDER SETTING BRIEFING SCHEDULE**

This matter comes before the court on remand from the Fifth Circuit Court of Appeals for a determination of the timeliness of the plaintiff's motion [140] under Fed. R. Civ. P. 59(e) to alter or amend judgment, which could ultimately bear on the Fifth Circuit's determination of the timeliness of the plaintiff's notice of appeal [151]. The parties have conducted discovery, conferred, and held a telephone conference with the court to narrow the issues and discuss a briefing schedule. During the conference, the parties agreed to the schedule below:

- (1) The deadline for the plaintiff to submit his brief to the court is February 15, 2022;**
- (2) The deadline the defendants to respond to the plaintiff's brief is 30 days from the date the plaintiff's brief is filed; and**
- (3) The deadline for the plaintiff to submit a reply brief is 14 days from the date the defendants' response brief is filed.**

An evidentiary hearing may be set if the court deems one necessary.

**SO ORDERED**, this, the 20th day of January, 2022.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE